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8 UNITED STATES DISTRICT COURT
9 DISTRICT OF NEVADA
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11 REBECCA MARTIN,

12 Plaintiff(s),

13 v.

14 TARGET CORPORATION,

15 Defendant(s).

Case No.: 2:17-cv-02329-APG-NJK

Order

16 Pending before the Court is a letter, which the Court is attaching to this order. As a
17 threshold matter, except with respect to limited circumstances not pertinent here, “an attorney . . .
18 must not send case-related correspondence, such as letters, emails, or facsimiles, to the court. All
19 communications with the court must be styled as a motion, stipulation, or notice, and must be filed
20 in the court’s docket.” Local Rule IA 7-1(b). The parties violated this rule by delivering the instant
21 letter to the undersigned.¹

22 Given that the parties have not filed a proper notice or stipulation, the Court would be
23 within its discretion to strike the letter. *See* Local Rule IA 7-1(b). Nonetheless, the Court will
24 address the substance thereof as a one-time courtesy to the parties. The letter indicates that the

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26 ¹ As a further threshold matter, this letter refers to the undersigned and one of her
27 colleagues as “magistrates.” There are no “magistrates” in the federal court system, and there have
28 not been for nearly 30 years. *See, e.g., Taddeo v. Am. Invsco Corp.*, 2015 WL 751072, at *2 n.2
(D. Nev. Feb. 20, 2015) (discussing *Williams v. City of Mesa*, 2010 WL 2803880, at *2 n.1 (D.
Ariz. July 15, 2010)). The proper title is United States Magistrate Judge. Hence, a magistrate judge
may be appropriately called judge or magistrate judge, but not magistrate.

1 parties were not able to schedule private mediation to be conducted by March 22, 2019, and have
2 instead scheduled it for April 4, 2019. The parties ask the Court to vacate the settlement conference
3 tentatively set for March 28, 2019. That request is hereby **GRANTED** and the settlement
4 conference is **VACATED**. The parties shall file a status report regarding the mediation no later
5 than noon on April 5, 2019. Nothing herein impacts the trial date or any pretrial deadlines.

6 IT IS SO ORDERED.

7 Dated: March 18, 2019

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10 Nancy J. Koppe
11 United States Magistrate Judge
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March 15, 2019

Via Hand Delivery

The Honorable Nancy J. Koppe
United States Magistrate Judge
United States District Court - District of Nevada

RE: Rebecca Martinv. Target Corporation
Case No. 2:27-cv-02329-APG-NJK
Our File Number: 7152-13119

Dear Magistrate Koppe:

First, the parties would like to apologize for the inconvenience our prior request caused the Court. There was no acceptable excuse for the late request to vacate the Settlement Conference.

Pursuant to the Order [Docket No. 33], please allow this correspondence to serve as notification that the parties were not able to schedule a private mediation prior to March 22, 2019. However, the parties are able to schedule a mediation in the afternoon of April 4, 2019, which would allow another of Defendant's cases to be mediated in the morning of that day, and allow the Defendant to participate in another Federal Court Settlement Conference in a third one of its cases [Fisher v. Target, 2:17-cv-02099-MMD-VCF] the following date with Magistrate Ferenbach, on April 5, 2019.

While the parties understand that the Court has set aside March 28, 2019, for a Settlement Conference, the parties firmly believe that this matter will be resolved at private mediation, and would request that the private mediation in this case be allow to move forward on April 4, 2019, and the parties ask that the time that it had set aside for a Settlement Conference on March 28, 2019 be vacated.

Very truly yours,

PERRY & WESTBROOK
A Professional Corporation


ALAN W. WESTBROOK, ESQ.

cc: Keith Galliher, Esq. - kgalliher@galliherlawfirm.com
Stacy Ray - sray@galliherlawfirm.com